

Appl. No. 10/719,740
Amdt. Dated August 8, 2005
Reply to Office action of May 6, 2005

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Disposition of the Drawings

Applicant has submitted drawings corresponding to the descriptions in the specification.

Disposition of the Specification

Applicant has amended the specification to address informalities and duplication of information in the specification. Applicant has amended paragraphs [0017], [0018] and [0019] to be consistent with the figures.

Disposition of Claims

Claims 1-3 are pending in this application. Claims 2 and 3 depend directly from claim 1. Applicants have amended claim 1.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent number 5,363,285 to Wideman. Examiner asserts that Wideman shows a bar 15 having a tapered shaped end 13 that is approximately 25 degrees attached to handle 19.

Wideman provides a convertible baton and flashlight assembly. The focus of Wideman is to produce an instrument that can serve both functions as a baton and flashlight. Column 3, lines 59 to 61 describe variations of the tip that can range from a blunt end to a deadly point. Wideman does not give any additional information related to the dimensions of the tip.

The present invention provides a tip with a taper angle such that the concentration of pressure is directed to a sufficiently small enough location have a meaningful effect on the individual. As mentioned in paragraph [0020], a merely rounded end or an end that has too wide an end surface may not give the desired effect the officer is seeking. Applicant only claims a tip having a taper with a taper in a specific range that will be effective in the specific use of Applicant's invention. Wideman is not limited in this manner. Further, the objective of Wideman is providing a convertible device. Further,

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Applicant's invention has taper along the sides of the bar as well. This feature was described in the original claim 1 of the application. Wideman does not mention any taper feature of the bar.

Contrary to the examiner's assertion that all elements are disclosed in the cited reference, the tapered bar feature and the specific tapered degree range of the end are not, so the rejection is unsupported by the art and should be withdrawn.

Applicants believe this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the below listed telephone number. The mailing date of the Office Letter was May 6, 2005. The three-month period from the mailing date (August 6, 2005) fell on a Saturday. Therefore, the submission of this response on Monday August 8, 2005 is considered a timely response. Applicants believe no additional fees are due.

Respectfully Submitted,



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